

1 AN ACT relating to telecommunications.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Public Utilities Act is amended by
5 changing Sections 13-504 and 13-505 as follows:

6 (220 ILCS 5/13-504) (from Ch. 111 2/3, par. 13-504)

7 (Section scheduled to be repealed on July 1, 2001)

8 Sec. 13-504. Application of ratemaking provisions of
9 Article IX.

10 (a) Except where the context clearly renders such
11 provisions inapplicable, the ratemaking provisions of Article
12 IX of this Act relating to public utilities are fully and
13 equally applicable to the rates, charges, tariffs and
14 classifications for the offer or provision of noncompetitive
15 telecommunications services. However, the ratemaking
16 provisions do not apply to any proposed change in rates or
17 charges, any proposed change in any classification or tariff
18 resulting in a change in rates or charges, or the
19 establishment of new services and rates therefor for a
20 noncompetitive local exchange telecommunications service
21 offered or provided by a local exchange telecommunications
22 carrier with no more than 35,000 subscriber access lines.
23 Proposed changes in rates, charges, classifications, or
24 tariffs meeting these criteria shall be permitted upon the
25 filing of the proposed tariff and 60 30 days notice to the
26 Commission and all potentially affected customers. The
27 proposed changes shall not be subject to suspension. The
28 Commission shall investigate whether any proposed change is
29 just and reasonable only if a telecommunications carrier that
30 is a customer of the local exchange telecommunications
31 carrier or 10% of the potentially affected access line

1 subscribers of the local exchange telecommunications carrier
2 shall file a petition or complaint requesting an
3 investigation of the proposed changes. When the
4 telecommunications carrier or 10% of the potentially affected
5 access line subscribers of a local exchange
6 telecommunications carrier file a complaint, the Commission
7 shall, after notice and hearing, have the power and duty to
8 establish the rates, charges, classifications, or tariffs it
9 finds to be just and reasonable. A telecommunications carrier
10 subject to the notice requirements of this Section must
11 provide notified customers with a toll-free telephone number
12 to call regarding the rate increase.

13 (b) Subsection (c) of Section 13-502 and Sections
14 13-505.1, 13-505.4, 13-505.6, and 13-507 of this Article do
15 not apply to rates or charges or proposed changes in rates or
16 charges for applicable competitive or interexchange services
17 when offered or provided by a local exchange
18 telecommunications carrier with no more than 35,000
19 subscriber access lines. In addition, Sections 13-514,
20 13-515, and 13-516 do not apply to telecommunications
21 carriers with no more than 35,000 subscriber access lines.
22 The Commission may require telecommunications carriers with
23 no more than 35,000 subscriber access lines to furnish
24 information that the Commission deems necessary for a
25 determination that rates and charges for any competitive
26 telecommunications service are just and reasonable.

27 (c) For a local exchange telecommunications carrier with
28 no more than 35,000 access lines, the Commission shall
29 consider and adjust, as appropriate, a local exchange
30 telecommunications carrier's depreciation rates only in
31 ratemaking proceedings.

32 (d) Article VI and Sections 7-101 and 7-102 of Article
33 VII of this Act pertaining to public utilities, public
34 utility rates and services, and the regulation thereof are

1 not applicable to local exchange telecommunication carriers
2 with no more than 35,000 subscriber access lines.

3 (Source: P.A. 89-139, eff. 1-1-96; 90-185, eff. 7-23-97.)

4 (220 ILCS 5/13-505) (from Ch. 111 2/3, par. 13-505)

5 (Section scheduled to be repealed on July 1, 2001)

6 Sec. 13-505. Rate changes; competitive services.

7 (a) Any proposed increase or decrease in rates or
8 charges, or proposed change in any classification or tariff
9 resulting in an increase or decrease in rates or charges, for
10 a competitive telecommunications service shall be permitted
11 upon the filing of the proposed rate, charge, classification,
12 or tariff. ~~Prior~~ Notice of an increase shall be given to all
13 potentially affected customers at least 60 days before the
14 effective date of the increase by mail, publication in a
15 newspaper of general circulation, or equivalent means of
16 notice. A telecommunications carrier subject to the notice
17 requirements of this Section must provide notified customers
18 with a toll-free telephone number to call regarding the rate
19 increase.

20 (b) If a hearing is held pursuant to Section 9-250
21 regarding the reasonableness of an increase in the rates or
22 charges of a competitive local exchange service, then the
23 telecommunications carrier providing the service shall have
24 the burden of proof to establish the justness and
25 reasonableness of the proposed rate or charge.

26 (Source: P.A. 90-185, eff. 7-23-97.)

27 Section 99. Effective date. This Act takes effect upon
28 becoming law.